

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, UPDATING THE OFFICIAL ZONING MAP AS DESCRIBED BY SECTION 15-108 OF THE FRESNO MUNICIPAL CODE, AND PURSUANT TO THE PROCEDURES SET FORTH IN ARTICLE 58, CHAPTER 15 OF THE FRESNO MUNICIPAL CODE

WHEREAS, Rezone Application No. R-17-014 has been filed by Jeff Roberts of East Shields Development with the City of Fresno to rezone property as depicted in the attached Exhibit A; and,

WHEREAS, pursuant to the provisions of Article 58, Chapter 15, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 6th day of December 2017, to consider Plan Amendment Application No. A-17-010, Rezone Application No. R-17-014, and related Environmental Assessment No. A-17-010/R-17-014, during which the Commission considered the environmental assessment rezone application, and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13509 of the subject environmental assessment and rezone application to amend the Official Zone Map to rezone approximately 8.89 acres of subject property from the BP/UGM (*Business Park/Urban Growth Management*) zone district to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district, and 4.87 acres of the subject property from the CC/UGM (*Community Commercial/Urban Growth Management*) and IL/UGM (*Light Industrial/Urban Growth Management*) zone districts to the RM-2/UGM

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: MEP

Ordinance No.

(Residential Multi-Family, Medium Density/Urban Growth Management) zone district;
and,

WHEREAS, the Council of the City of Fresno, on the 25th day of January 2018, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN
AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with all applicable project specific mitigation measures imposed, there is no substantial evidence in the record that Rezone Application No. R-17-014 may have additional significant effects on the environment that were not identified in the Fresno General Plan Master Environmental Impact Report SCH No. 2012111015 ("MEIR"); and, that all applicable mitigation measures of the MEIR have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Section 15178(a). Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. A-17-010/R-17-014 dated December 1, 2017.

SECTION 2. The Council finds the requested RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) zone district and RM-2/UGM (*Residential Multi-Family, Urban Neighborhood/Urban Growth Management*) zone district is consistent with the proposed Medium Density Residential and Urban Neighborhood Residential planned land use designations of the Fresno General Plan and the McLane Community Plan as specified in the Fresno General Plan and Municipal Code.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the BP/UGM (*Business Park/Urban Growth Management*), CC/UGM (*Community Commercial/Urban Growth Management*), and IL/UGM (*Light Industrial/Urban Growth Management*) zone districts to the RS-5/UGM (*Residential Single-Family, Medium Density/Urban Growth Management*) and RM-2/UGM (*Residential Multi-Family, Urban Neighborhood/Urban Growth Management*) zone districts, as depicted in the attached **Exhibit A**.

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 25th day of January 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Mary Raterman-Doidge Date
Deputy City Attorney

Attachment: Exhibit A